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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,249	01/21/2004	Kia Silverbrook	RRA06US	1592
24011 7590 03/27/2007 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER FIDLER, SHELBY LEE	
			ART UNIT 2861	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/760,249

Applicant(s)

SILVERBROOK, KIA

Examiner

Shelby Fidler

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Responsive Office Action

This Office Action is responsive to amendments/remarks filed 2/15/2007.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waller et al. (US 6250738 B1) in view of Martin (US 6869165 B2).

Regarding claim 5:

Waller et al. disclose a printer cartridge (col. 4, lines 14-17) for an inkjet printer, the printer cartridge comprising:

a body (pen body inherent to col. 4, lines 14-17) configured for user insertion in, and removal from a printer (col. 4, lines 14-33);

a pagewidth printhead (inkjet printhead assembly 12) with an array of nozzles (rows 42 of nozzles 44; Fig. 2) for ejecting different printing fluids onto a media substrate (col. 4, lines 64-66), each of the nozzles being dedicated to one of the different printing fluids only (col. 8, lines 3-11 and Fig. 7);

Art Unit: 2861

a plurality of printing fluid reservoirs (reservoirs 15) in the body (col. 4, lines 14-17 and Fig. 1) for storing each of the different printing fluids separately (col. 4, lines 11-13), each of the plurality of printing fluid reservoirs being in fluid communication with the nozzles of the array that correspond to its printing fluid (col. 5, lines 50-58).

Waller et al. does not expressly disclose a refill port on the body, the refill port having a plurality of inlets, each of the inlets being in fluid communication with one of the printing fluid reservoirs only; such that,

each of the printing fluid reservoirs can be individually refilled to replace printing fluid ejected by the pagewidth printhead.

However, Martin discloses a refill port (fluid inlets) on a cartridge body (housing 72; Fig. 11), the refill port having a plurality of inlets (first inlet 741 and second inlet 742), each of the inlets being in fluid communication with one printing fluid reservoir (chamber of assembly 70) only (col. 8, lines 53-60); such that,

each of the printing fluid reservoirs can be individually refilled to replace printing fluid ejected by the pagewidth printhead (col. 8, lines 44-50, 60-67).

Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize a refill port, such as that taught by Martin, into the invention of Waller et al. One motivation for doing so, as taught by Waller et al., is to refill the pen reservoir without removing the reservoir from the pen (col. 4, lines 25-31). Martin also teaches that such a refill port could be used to receive pressure regulated and filtered fluid from an ink source (col. 8, lines 44-50).

Response to Arguments

Applicant's arguments with respect to claim 5 have been considered but are moot in view of the new ground(s) of rejection. Please see the above combination of Waller et al.'s invention as modified by the refill port of Martin, which discloses a cartridge with a pagewidth printhead and refill ports.

Art Unit: 2861

Communication with the USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelby Fidler whose telephone number is (571) 272-8455. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shelby Z. Fidler 3/21/2007

Shelby Fidler
Patent Examiner
AU 2861



MATTHEW LUU
PRIMARY EXAMINER